

March 8, 2006

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, March 8, 2006, at 3:00 p.m., at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1
CHARLES W. AHREND, Election District #2
DEE E. FLOYD, Election District #3
WILLIAM B. KYGER, JR., Election District #4
MICHAEL A. BREEDEN, Election District #5

Also present:

JOSEPH S. PAXTON, County Administrator
G. CHRIS BROWN, County Attorney
STEPHEN G. KING, Deputy County Administrator
WARREN G. HEIDT, Director of Public Works
FRANKLIN P. O'BYRNE, Director of Information Systems
DIANA C. STULTZ, Zoning Administrator
ROBERT A. SYMONS, Fire and Rescue Chief
WILLIAM L. VAUGHN, Director of Community Development
DOTTIE L. BOWEN, Deputy Clerk
DONALD F. KOMARA, Resident Engineer
Virginia Department of Transportation

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CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION.

Chairman Breeden called the meeting to order at 3:00 p.m.

Deputy Administrator King led the Pledge of Allegiance, and Supervisor Cuevas gave the Invocation.

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STUDENT WELCOMED.

The Board welcomed Anna Brown from Albemarle County Henley Middle School Social Studies Class.

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APPROVAL OF MINUTES.

On motion by Supervisor Floyd, seconded by Supervisor Ahrend and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the Minutes of the Meeting held on February 22, 2006, with one correction to page 5.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara's report on the activities of the Transportation Department. He noted that VDOT recently celebrated its 100th anniversary.

Supervisor Floyd mentioned that work had been started on Port Republic Road. Mr. Komara said some aerial photography work had taken place as well as east/west connector work associated with the RMH project. He added that some preliminary design work was also started.

In response to a question from Chairman Breeden concerning a planned traffic light at Routes 649 and 340, Mr. Komara noted that movement of the Coors tanks (mentioned at the last meeting) has begun and the light project would not be instituted until the tank project is complete.

Mr. Komara reported that an I-81 hearing will be held sometime in April, probably at Turner Ashby High School.

Mr. Paxton advised that the County and Rockingham Memorial Hospital representatives have been meeting with Congressman Goodlatte's office to submit a request for Federal funding for improving Port Republic Road.

He reported that work is continuing on the preliminary design of the extension of Stone Spring Road from the east City limits to Route 33, including the fly-over which was completed in mid-February.

He pointed out that the County and those parties involved in the design of Stone Spring Road will be working with the State to develop a proposal for funding this road through the local Partnership Program with VDOT.

He briefly discussed the concern regarding proposals in the General Assembly which relate to funding for secondary and primary roads, particularly as it applies to Rockingham County.

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VIRGINIA COOPERATIVE EXTENSION.

The Board heard reports by Ms. Stephanie Diehl, Unit Coordinator, regarding the activities of the VPI Cooperative Extension and by Ms. Megan Cook, 4H Project Associate, regarding the activities of the 4H Program.

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RESOLUTION NO. 06-06 - SHENANDOAH VALLEY RAILROAD.

On motion by Supervisor Kyger, seconded by Supervisor Ahrend and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following resolution.

**RESOLUTION NO. 06-06
RAIL PRESERVATION APPLICATION
SHENANDOAH VALLEY RAILROAD COMPANY**

WHEREAS, the Shenandoah Valley Railroad Company (SVRR) desires to file an application with the Virginia Department of Rail and Public Transportation for crosstie installation, tamping and surfacing 4 miles of mainline, rebuilding 2 crossing surfaces, repairs to bridges, and a 300 foot-track extension to switching yard; and

WHEREAS, the General Assembly, through enactment of the Rail Preservation Program, provides for rehabilitation funding for improvement of railways in the Commonwealth of Virginia; and

WHEREAS, the SVRR is an important element of the Rockingham County transportation system; and

WHEREAS, the SVRR is instrumental in the economic development of the Rockingham County area, provides relief to the highway system by transporting freight, and provides an alternate means of transporting commodities; and

WHEREAS, the County of Rockingham supports the project and the retention of the rail service along this rail corridor; and

WHEREAS, the Commonwealth Transportation Board has

established procedures for all allocation and distribution of the funds provided;

NOW, THEREFORE, BE IT RESOLVED that the County of Rockingham, Virginia, does hereby request the Virginia Department of Rail and Public Transportation to give priority consideration to the projects proposed by the Shenandoah Valley Railroad Company totaling \$123,500 for this funding cycle.

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ROCKINGHAM-HARRISONBURG ALCOHOL SAFETY AND PREVENTION PROGRAM.

The Board heard a report by Ms. Pam Simmons, ASAP Director, concerning the activities of the Rockingham-Harrisonburg Alcohol Safety and Prevention Program.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Paxton's staff report dated March 3, 2006, including information concerning economic development, the litter pick-up program (this month's focus on Singers Glen towards Rawley Pike), traffic enforcement report, annexation matters, landfill, I-81 improvements, schools, Community Services Board, and railroad update.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Finance Committee, the Board authorized advertising a public hearing for March 22, 2006, on an amendment to the school budget totaling \$2,353,487. The majority of the revenue funds are the result of the unexpected increase in Average Daily Membership (ADM) and federal revenues. Because the federal government does not announce the new allocations until after the County budget is completed, a budget amendment is required to reflect the additional funding approved.

Mr. Paxton reviewed possible dates for budget work sessions in preparation for the public hearings on the proposed FY 2006-07 Budget and tax rates which will be held at Broadway High School on April 12, 2006.

He noted that the Community Services Board Director has expressed concerns about federal budget reductions.

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COUNTY ATTORNEY'S STAFF REPORT.

The Board received and reviewed Mr. Brown's staff report dated March 3, 2006, including information concerning public hearings (held later in the meeting) on real estate tax relief for the elderly and disabled and on granting of easement to Eagle Airie-Girdley.

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DEPUTY COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. King's staff report dated March 3, 2006, including information concerning the progress at the Technological and Industrial Park, completion of an addition to the County garage, and possible cost reductions in electrical and heating fuel expenses.

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FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Allmendinger's staff report dated March 3, 2006, including information concerning the audit services RFP.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board awarded the audit contract to the only bidder, PBGH, LLP, proposal dated February 24, 2006, in the amount of \$540,250.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Heidt's staff report dated March 8, 2006, including information concerning schedule for Penn Laird Drive and Water Tower Road sewer (schedule provided to Board); Lakewood/Massanetta Springs pump station essentially completed with minor restoration work remaining; McGaheysville WWTP (pursuing two-tiered permit allowing for future expansion to .49 mgd); Phase III Landfill extension (continuing to work with DEQ); Grassy Creek tank (electrical work at meter vault remains to be completed);

Three Springs Water system analysis (final report being reviewed by staff); Pleasant Run Interceptor (final survey of interceptor path completed); Lilly Gardens (final review completed by Virginia Health Department; County instructed to proceed with upgrades; meeting scheduled to discuss with VDH); City of Harrisonburg Waste to Energy Plant; and Solid Waste Ordinance changes (Shenandoah Valley Building Association addressed in February; presentations to other community groups scheduled).

On motion by Supervisor Cuevas, seconded by Supervisor Ahrend and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Building and Grounds Committee, the Board approved an expenditure of \$137,700 in additional consulting and engineering fees to support the continuation of the landfill permitting expansion process.

Mr. Paxton advised the Board that an increase in landfill tipping fees will likely be necessary in the future.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Vaughn's staff report dated March 8, 2006, including information concerning proposed automation land use information, priority projects underway, tabled requests, and upcoming requests.

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INFORMATION SYSTEMS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. O'Byrne's staff report dated March 2, 2006, including information concerning the Remote Access Server (new server and the remote access software ordered which will allow access to the ICHRIS database from the Town Police Department Offices); Document Imaging Project (consultant meeting with various staffs for preparation of RFP); Circuit Courthouse Deed Room Project (decision pending on whether to proceed with ACS plan); Web Site Development Project, Phase III (following scheduled meetings, Virtual IT to have the necessary guidelines for developing Intranet site); Swanson Services Software Installation (project completed in replacing vendor that supplies canteen services to the regional jail inmates); Personal Property Returns and Decal Applications (project completed); Treasurer's Office computers replaced.

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FIRE & RESCUE CHIEF'S STAFF REPORT.

The Board received and reviewed Chief Symons' staff report dated March 1, 2006, including information concerning personnel, training, Prevention Division activities, public education, and other activities.

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RECREATION AND FACILITIES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Eberly's staff report dated March 3, 2006, including information concerning the Administrative Center (former Human Resources office being prepared for Community Development. Staff should be in their office areas by March 10); carpet, tile replacement and painting at Jail, Human Services, Court House and the Public Works office; repair to Leibert cooling unit in computer room to be repaired on March 6 & 7; Energy Management Plan for facilities being developed; recreation programs; Kids Trout Fishing Day (April 22 at Silver Lake in Dayton); and funding requests from Briery Branch Community Club, Inc., and Grottoes Little League.

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COMMITTEE REPORTS.

The Board heard committee reports by Board Members and by staff.

On motion by Supervisor Cuevas, seconded by Supervisor Ahrend and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Finance Committee, the Board:

As requested by the Director of Social Services, approved a supplemental appropriation in the amount of \$249,001. These funds are for aid to families with dependant children foster care (AFDC) and adoption subsidy. The full amount is federal and state funded requiring no local match.

\$124,501	GL Code: 220-02401-0100	Public Assistance
		State
\$124,500	GL Code: 220-03303-0100	Public Assistance
		Federal
\$222,053	GL Code: 220-05302-200-5705-000	Aid to
		Dependant Children
\$ 26,948	GL Code: 220-05302-200-5721-000	Adoption
		Subsidy

As requested by the Director of Social Services, approved a supplemental appropriation in the amount of \$600. These funds are for aid to dependant children and require no local match.

\$ 291 GL Code: 220-02401-0100 Public Assistance State
\$ 309 GL Code: 220-03303-0100 Public Assistance Federal
\$ 600 GL Code: 220-05302-200-5705-000 Aid to Dependant Children

Supervisor Kyger advised that Teresa L. Altemus, Supervisor from York District of Gloucester County, has submitted her name for consideration as Second Vice President for the National Association of Counties; and he urged Board members to give her their support.

Mr. Paxton reported on discussions with representatives of Augusta County and the Shenandoah Valley Partnership concerning the possibility for the Partnership's providing economic development and tourism services to the two counties until such time as full-time employees are needed to handle these matters.

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RECESS.

Chairman Breedon recessed the meeting from 4:15 p.m. to 7:00 p.m. for dinner.

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MEETING CALLED BACK TO ORDER.

Chairman Breedon called the meeting back to order at 7:00 p.m.

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PUBLIC HEARING - REAL ESTATE TAX RELIEF FOR THE ELDERLY AND DISABLED.

At 7:00 p.m., Chairman Breedon declared the meeting open for a public hearing on an ordinance to amend and re-

ordain Section 7-21 of the Rockingham County Code to revise the limits for Real Estate Tax Relief for the Elderly and Disabled.

There were no requests to speak on this matter, and at 7:02, Chairman Breeden closed the public hearing.

On motion by Supervisor Kyger, seconded by Supervisor Ahrend and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following ordinance.

AN ORDINANCE TO AMEND AND RE-ORDAIN SECTION 7-21 OF THE ROCKINGHAM COUNTY CODE RELATED TO EXEMPTION FOR REAL ESTATE TAX RELIEF FOR ELDERLY AND DISABLED PERSONS AS FOLLOWS:

Sec. 7-21. Amount of exemption.

(a) Persons qualifying for and claiming exemption shall be relieved of that portion of the real estate tax levied on the qualifying dwelling and land in the amount calculated in accordance with the following schedule:

AMOUNT OF EXEMPTION NET WORTH RANGE			
Range of Income	0 to \$35,000	\$35,001 to \$50,000	\$50,001 to \$70,000
0 to \$10,000	100%	75%	50%
\$10,001 to \$17,000	80%	65%	40%
\$17,001 to \$24,000	50%	40%	30%
\$24,001 to \$32,000	25%	15%	10%
Over \$32,000	0%	0%	0%

(b) In no event shall the amount of the relief granted by this Article VII to any person in any year exceed the greater of \$750 or the relief received by that person in 2005.

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PUBLIC HEARING EMERGENCY ACCESS EASEMENT.

At 7:03 p.m., Chairman Breeden declared the meeting open for a public hearing on a proposal to grant a 20-foot emergency access easement through lands off Greendale Road to property at Tax Map 99-A-1.

There were no requests to speak on this matter, and at 7:04, Chairman Breeden closed the public hearing.

On motion by Supervisor Kyger, seconded by Supervisor Ahrend and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board agreed to grant a twenty-foot (20') emergency access easement through lands of Rockingham County, Virginia, located just off Greendale Road (Route 710) and designated as tax map number 99-A-1, to Eagle Airie

L.L.C., Girdley Construction Company, or its successors and assigns

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RECESS.

By consensus, the Board recessed the meeting at 7:05 p.m. to March 22, 2006, at 2:00 p.m., at James Madison University.

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Chairman